

REMARKS

This Amendment is responsive to the Office Action identified above, and is further responsive in any other manner indicated below.

CONSIDERATION OF INFORMATION DISCLOSURE STATEMENT REQUESTED

Applicant's previously-submitted 22 October 2001 information disclosure statement (IDS) has not been acknowledged as having been considered, i.e., a copy of any Form(s) PTO-1449 has not been returned with Examiner initialing to indicate consideration. For convenience, submitted herewith is another copy of any Form(s) PTO-1449 from such IDS. The Applicant specifically requests return of an Examiner-initialed copy of the Form(s) PTO-1449, indicating that the information (i.e., references) has been considered. Applicant respectfully thanks the Examiner in advance for such initialing/consideration.

FORM(S) PTO/SB/08 LISTING REFS CITED IN PCT APPLICATION

Submitted herewith is a Form(s) PTO/SB/08 listing reference(s) from the PCT search, for Examiner initialing to make such art of record in the present application. The 26 February 1999 Notice of Acceptance within the record of the application, indicates that copies of such the ISR (i.e., PCT) references had been received by the USPTO, and accordingly, no redundant copies are provided herewith.

PENDING CLAIMS

Claims 1-18 were pending, under consideration and subject to examination in the Office Action. Appropriate claims have been amended, canceled and/or added

(without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply refocused claims in which Applicant is present interested. At entry of this paper, Claims 1-18 will be pending for further consideration and examination in the application.

REJECTION UNDER 35 USC '103

All 35 USC '103 rejections are respectfully traversed. All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated hereat by reference. Further, all Office Action statements regarding the prior art rejections are respectfully traversed. As additional arguments, Applicant respectfully submits the following remarks in support of traversal of the rejection and patentability of Applicant's clarified claims.

In the present invention, a master key generation unit generates a key by receiving both of the first and second key information. Namely the key is generated with the two key information; with the first key information being apparatus specific key information, and the second key information being another (e.g., non-apparatus-specific) key information. Further, for enhanced security purposes (i.e., to thwart unauthorized decrypting), the first key information is not recorded onto the medium, i.e., just the second key information is recorded. (See Fig. 8 and corresponding description in the specification.)

It is possible to realize high security by using the first and the second key information for encrypting, and then recording just the second key information

onto the medium, because it makes difficult to infer the missing apparatus-specific key from the recorded information, as the first key information is not recorded onto the medium. That is, if a recording is made on a specific apparatus, and then is attempted to be reproduced on a differing apparatus, reproduction will fail because the differing apparatus will not be privy to the first (apparatus specific) key information.

Thus, Applicant's invention is advantageous in providing another level of security/copy-protection, in that its apparatus specific key information allows apparatus specific copies to be made.

Turning now to rebuttal of the applied references, Office Action comments allege that portions of Chou (e.g., col. 6, lines 17 - col. 7, line 5) teaches Applicant's first (apparatus specific) key information. Strong traversal is appropriate, because Chou's disclosure nowhere discloses (or suggests) any type of apparatus specific key information. More particularly, Chou's keys are specific to a "noise sample" and/or to a "digital video disk." Chou's col. 1, lines 60-64, for example, states:

...The encryption process uses a key generated from the sample of noise signal which was combined with the original video data. The key derived from the sampled noise is further encrypted with a encryption key Kx specific to the digital video disk.

As additional examples, attention is directed to Chou's col. 8, lines 19-22, and Chou's abstract. In short, none of Chou's keys are apparatus specific.

Regarding the other applied references, none of such references cure the major deficiency mentioned above with respect to the primary Chou reference.

Accordingly, it is respectfully submitted that no combination of the applied references would have disclosed, or suggested, Applicant's claimed invention.

In addition to the foregoing, the following additional remarks from Applicant's foreign representative are also submitted in support of traversal of the rejection and patentability of Applicant's claims.

Though the Examiner alleges that "Chou disclosed ... first key information generation unit ... (see Chou col. 6, lines 34-38 DK_A)...", such is actually different from Applicant's "first key information generation unit". That is, Chou's DK_A does not have roots in an "apparatus". Instead, Chou's DK_A has roots in a "disc" (see Chou col. 3, lines 30-34, 52-56). Accordingly, the first key information generation unit of Applicant's invention is not disclosed (or suggested) at all.

As a result of all of the foregoing, it is respectfully submitted that the applied art (taken alone and in the Office Action combinations) would not support a '103 obviousness-type rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of such '103 rejection, and express written allowance of all of the '103 rejected claims, are respectfully requested. Further, at this point, it is respectfully submitted as a reminder that, if new art is now cited against any of Applicant's unamended claims, then it would not be proper to make a next action final.

EXAMINER INVITED TO TELEPHONE

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any Examiner's Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.

RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in the application are now in condition for allowance.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR 1.136. Authorization is herein given to charge any shortage in the fees, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (Case No. 501.40474X00) and please credit any excess fees to such deposit account.

Based upon all of the foregoing, allowance of all presently-pending claims is respectfully requested.

Respectfully submitted,

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Registration No. 32,173

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Attachments:

22 October 2001 Form(s) PTO-1449
PTO/SB/08 Form



Sheet 1 of 1

Form PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEINFORMATION DISCLOSURE STATEMENT
BY APPLICANT

(Use several sheets if necessary)

ATTY. DKT. NO.

501.40474X00

SERIAL NO.

Not yet assigned

APPLICANT

SASAMOTO.

FILING DATE

August 16, 2001

GROUP

Not yet assigned

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date
AA						
AB						
AC						
AD						
AE						
AF						
AG						
AH						
AI						
AJ						
AK						
AL						

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No
AM	8-56350	02/27/96	JP	H04N	7/16		
AN	5-174496	07/13/93	JP	G11B	20/12		
AO							
AP							
AQ							
AR							
AS							
AT							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AU	FUJITA, et al., Newly Developed D-VHS Digital Tape Recording System For the Multimedia Era, IEEE Transaction on Consumer Electronics, Vol. 42, No. 3, August 1996, pps. 617-622		
AV	Patent Abstracts of Japan	08-056350	February 27, 1996
AW	Patent Abstracts of Japan	05-174496	July 13, 1993
AX			
AY			
AZ			

Examiner _____ Date Considered _____



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<p>Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(Use as many sheets as necessary)</p>		<i>Complete if Known</i>	
		Application Number	09/913,595
		Filing Date	10/22/01
		First Named Inventor	SASAMOTO, et al.
		Art Unit	2131
		Examiner Name	M. Henning
Sheet	1	of	Attorney Docket Number
			501 40474X00

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known

Application Number	09/913,595
Filing Date	10/22/01
First Named Inventor	SASAMOTO, et al.
Art Unit	2131
Examiner Name	M. Henning
Attorney Docket Number	501 40474X00

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials'	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T- ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		JP 6-231536	8-19-94			
		JP 7-288798	10-31-95			
		JP 9-214882	8-15-97			
		JP 10-241287	9-11-98			

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.